

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**ARTUR PAYTYAN,** §  
§  
**Plaintiff,** §  
§  
vs. §  
§  
**GOVERNMENT EMPLOYEES** §  
**INSURANCE COMPANY** §  
**(GEICO),** §  
§  
**Defendant.** §

**Civil Action No. 3:15-CV-03343-N**

**DEFENDANT GOVERNMENT EMPLOYEES INSURANCE COMPANY'S**  
**MOTION FOR SUMMARY JUDGMENT, AND**  
**ALTERNATIVE MOTION FOR ABATEMENT**

In accordance with Rule 56 of the Federal Rules of Civil Procedure, and Local Rule 56.3 of the Northern District of Texas, Defendant Government Employees Insurance Company (“GEICO”) files this Motion for Summary Judgment and Alternative Motion for Abatement against Plaintiff Artur Paytyan, and respectfully states as follows:

In accordance with the Local Civil Rules for the Northern District of Texas, GEICO has satisfied the requirements of Section (a) of Rule 56.3 in that each of the required matters set out in that rule are included in GEICO’s Brief in Support of Motion for Summary Judgment, and Alternative Motion for Abatement.

WHEREFORE, for the reasons set forth in its Brief in Support of its Motion for Summary Judgment, and Alternative Motion for Abatement, GEICO respectfully requests that the Court grant summary judgment in favor of GEICO and enter a ruling:

- 1) Dismissing GEICO and all of Plaintiff's claims against GEICO in this action with prejudice;

- 2) Alternatively, abating Plaintiff's extra-contractual claims against GEICO until final resolution on Plaintiff's UM/UIM benefits claim under the Policy at issue; or, per F.R.C.P. 42, bifurcating and ordering separate trials of Plaintiff's UM/UIM benefits claim and his extra-contractual claims, and abating trial on the extra-contractual claims until final resolution on Plaintiff's UM/UIM benefits claim.
- 3) Granting GEICO any such other and further relief to which it may be entitled.

Respectfully submitted this 9th day of March 2016.

By: /s/Christopher T. Colby

Christopher T. Colby  
State Bar No. 24031962  
Abel Leal  
State Bar No. 24026989  
Sarah L. Stephens  
State Bar No. 24086110

Johnson Stephens & Leal, PLLC  
4809 Cole Avenue, Suite 260  
Dallas, Texas 75205  
(214) 552-2866 (office)  
(214) 919-5941 (fax)  
ccolby@jsllawfirm.com  
aleal@jsllawfirm.com  
sstephens@jsllawfirm.com

**ATTORNEYS FOR DEFENDANT  
GOVERNMENT EMPLOYEES  
INSURANCE COMPANY**

**CERTIFICATE OF SERVICE**

I certify that on March 9, 2016 a true and correct copy of the above and foregoing instrument was served on the following counsel of record in accordance with the Federal Rules of Civil Procedure.

William L. Shirer  
McGilberry & Shirer, L.L.P.  
5720 LBJ Freeway  
Suite 575, LB 5  
Dallas, Texas 75240  
(866) 342-1022 (FAX)

*/s/Christopher T. Colby*  
Christopher T. Colby